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Attorney Docket No. CB-16

Customer No: 021394

Application No.: 10/774,222

CERTIFICATION OF FACSIMILE TRANSMISSION

In connection with U.S. Patent Application of JEAN WOLOSZKO, et al., Application No. 10/774,222, I hereby certify that the following RESPONSE TO RESTRICTION REQUIREMENT is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

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PATENT Attorney Docket No.: CB-16

on June 1, 2005

By Michighe Nicely

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

JEAN WOLOSZKO et al.

Application No.: 10/774,222

Filed: February 5, 2004

For: ELECTROSURGICAL APPARATUS AND

METHOD HAVING TEMPERATURE

INDICATOR

Commissioner for Patents Alexandria, VA 22313-1450 Examiner: Michael Peffley

Art Unit: 3739

RESPONSE TO RESTRICTION REQUIREMENT

In response to the Restriction Requirement mailed May 3, 2005, Applicant elects Species 25 Figure 13 (claims 1-11, 13-27 & 29-52).

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at (408) 736-0224.

Respectfully submitted,

Richard R. Batt Reg. No. 43,485

Date

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